

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL NOTE**

**SB 458 – HB 496**

March 12, 2023

**SUMMARY OF BILL:** Requires each health-related board (HRB) and the Emergency Medical Services (EMS) Board to promulgate uniform rules to require that determinations on all applications for licenses, certifications, and permits to perform professional services be made within 60 days of the date such applications are submitted. Requires each board to request additional information from the applicant within 60 days of the application being submitted, if necessary.

Authorizes each HRB and the EMS Board to request the Department of Health (DOH) to replace or transfer administrative staff or the attorney assigned to the board by the Division of Health-Related Boards.

**FISCAL IMPACT:**

**Increase State Expenditures - \$98,900/FY23-24 and Subsequent Years/  
Division of Health-Related Boards**

**Pursuant to Tenn. Code Ann. § 4-29-121, all health-related boards are required to be self-supporting over a two-year period. The Division of Health-Related Boards had a surplus of \$2,931,602 in FY20-21, a surplus of \$2,687,730 in FY21-22, and a cumulative reserve balance of \$37,100,641 on June 30, 2022.**

**The EMS Board had a surplus of \$55,080 in FY20-21 and a surplus of \$181,120 in FY21-22.**

**Assumptions:**

- The proposed legislation is not estimated to increase the number of applications submitted to the HRBs or EMS Board.
- Based on information provided by the DOH, it is estimated the boards will be able to process applications in the required timeframe utilizing existing personnel.
- All applications for licensure are required to be approved or denied at a public board meeting; therefore, each board must meet at least six times per year in order to comply with the 60-day requirement.
- The Board of Medical Examiners, the Board of Nursing, the Board of Pharmacy, and the EMS Board currently meet six times per year, and would not be impacted.
- The Board of Radiologic Imaging and Radiation Therapy has not reimbursed board members in the last year, and is not assumed to do so in the future.

- Each board member is reimbursed for travel expenses at a rate of \$160 (\$.63 per mile x 254 miles) per meeting. Some boards also receive a per diem of \$50 or \$100 per meeting. The total cost per meeting per board member is either \$260 (\$160 + \$100), \$210 (\$160 + \$50) or \$160.
- The total recurring increase in state expenditures for additional board meeting is estimated to be as shown below:

<b>Board</b>	<b>Number of Additional Meetings Per Year</b>	<b>Number of Board Members</b>	<b>Total Cost Per Member Per Meeting</b>	<b>Increase in Board Expenditures</b>
Advisory Committee for Acupuncture	4	5	\$210	\$4,200
Alcohol and Drug Abuse Counselors	2	5	\$210	\$2,100
Applied Behavior Analyst	2	4	\$160	\$1,280
Athletic Trainers	5	5	\$260	\$6,500
Chiropractic Examiners	2	7	\$260	\$3,640
Committee for Clinical Perfusionists	5	7	\$160	\$5,600
Communication Disorders and Sciences	2	7	\$210	\$2,940
Dentistry	2	11	\$160	\$3,520
Dieticians/Nutritionist Examiners	4	6	\$210	\$5,040
Dispensing Opticians	2	5	\$160	\$1,600
Council for Hearing Instrument Specialists	3	5	\$210	\$3,150
Massage Licensure	2	7	\$260	\$3,640
Medical Laboratory Board	2	13	\$160	\$4,160
Nursing Home Administrators	2	8	\$210	\$3,360
Occupational Therapy	1	5	\$260	\$1,300
Optometry	2	6	\$260	\$3,120
Osteopathic Examination	2	6	\$260	\$3,120
Physical Therapy	2	5	\$260	\$2,600
Physician Assistants	2	9	\$260	\$4,680
Podiatry	1	5	\$260	\$1,300
Polysomnography Professional Standards Committee	3	7	\$260	\$5,460
Licensed Professional Counselors	3	5	\$210	\$3,150
Council of Certified Professional Midwifery	5	6	\$160	\$4,800
Psychology	2	10	\$260	\$5,200
Respiratory Care	2	8	\$210	\$3,360
Social Workers	2	11	\$210	\$4,620
Veterinary Medical Examiners	3	7	\$260	\$5,460
			<b>Total:</b>	<b>\$98,900</b>

- The total recurring increase in state expenditures is estimated to be \$98,900 in FY23-24 and subsequent years.
- The HRBs and the EMS Board can promulgate rules to accomplish the proposed requirements within existing resources.
- The authorization to request replacement or transfer of certain staff will not impact staffing levels or any associated state expenditures.

- Pursuant to § 4-29-121, all health-related boards are required to be self-supporting over a two-year-period. The Division of Health-Related Boards had a surplus of \$2,931,602 in FY20-21, a surplus of \$2,687,730 in FY21-22, and a cumulative reserve balance of \$37,100,641 on June 30, 2022.
- The EMS Board is required to collect fees in an amount sufficient to pay the costs of operating the Board. All fees collected by the Board are deposited by the Department of Health (DOH) with the State Treasurer to the credit of the General Fund and shall be expended by the Department and included in the appropriation made for the Board in the General Appropriations Act.
- The EMS Board had a surplus of \$55,080 in FY20-21 and a surplus of \$181,120 in FY21-22.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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